

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

LVI INTERMEDIATE HOLDINGS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 20-11413 (KBO)

(Jointly Administered)

Re: D.I. 92 and 180

**NOTICE OF ENTRY OF ORDER ESTABLISHING PROCEDURES
FOR THE ASSERTION, RESOLUTION, ALLOWANCE AND SATISFACTION
OF CLAIMS ARISING UNDER SECTION 503(b)(9) OF THE BANKRUPTCY CODE**

PLEASE TAKE NOTICE that on May 29, 2020 (the “Petition Date”), the above-captioned debtors and debtors in possession (the “Debtors”) filed voluntary petitions in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101, et seq. (the “Bankruptcy Code”).

PLEASE TAKE FURTHER NOTICE that on June 23, 2020, the Bankruptcy Court entered an order [Docket No. 180] (the “Order”) establishing exclusive procedures (the “503(b)(9) Procedures”) for the assertion, resolution, allowance, and satisfaction of claims asserted pursuant to section 503(b)(9) of the Bankruptcy Code in the Chapter 11 Cases (“Asserted 503(b)(9) Claims”). Pursuant to the Order, any person or entity who wishes to assert an Asserted 503(b)(9) Claim shall prepare a proof of claim (a “Proof of 503(b)(9) Claim”), using the form attached hereto (the “Proof of 503(b)(9) Claim Form”) that is written in the English language and sets forth that all proofs of claim for 503(b)(9) claims must set forth with specificity: (i) the amount of the claim; (ii) the type(s) of goods claimant asserts were received by the Debtors within twenty (20) days before the petition date; (iii) the shipment date of the goods; (iv) the date on which the claimant asserts the relevant debtor received the goods; (v) the place of delivery of the goods; (vi) the method of delivery of the goods; (vii) the name of the carrier of the goods; (viii) the alleged value of the goods; (ix) whether the value of the goods listed in the proof of claim represents a combination of services and goods; (x) the percentage of value related to services and the percentage of value related to goods; and (xi) whether the claimant has filed any other claim against the Debtors regarding underlying the claim. In

¹ The Debtors and the last four digits of their respective federal taxpayer identification numbers are as follows: LVI Intermediate Holdings, Inc., (7674); Total Vision Institute, LLC (7571); QualSight, LLC (3866); The LASIK Vision Institute, LLC (7564); Cataract Vision Institute, LLC (7697); Healthcare Marketing Services, LLC (9982); Cataract Vision Institute Florida, LLC (3423); TLC Vision Center Holdings, LLC (5400); TLC Whitten Laser Eye Associates, LLC (0182); TLC Vision Centers, LLC (8271); TruVision, LLC (3399); TruVision Contacts, LLC (3399); Laser Eye Surgery, LLC (3448); TLC Laser Eye Centers (Refractive I), LLC (2702); TLC The Laser Center (Pittsburgh) L.L.C. (2881); TLC The Laser Center (Indiana) LLC (8456); TLC The Laser Center (Institute), LLC (0959); and LVI Missouri, LLC (7088). The Debtors’ executive headquarters are located at 1555 Palm Beach Lakes Blvd., Suite 600, West Palm Beach, Florida 33401.

addition, all proofs of claim of Asserted 503(b)(9) Claims must be accompanied by copies of (a) the particular invoices, receipts, bills of lading, and similar materials identifying the goods underlying the claim; and (b) documents demonstrating the date the goods were actually received by the Debtors. Any Asserted 503(b)(9) Claim must certify that the goods were sold in the ordinary course of the debtor's business.

PLEASE TAKE FURTHER NOTICE that effective as of the Petition Date, the 503(b)(9) Procedures shall be the sole and exclusive method for the assertion, resolution, allowance, and satisfaction of any Asserted 503(b)(9) Claims, and any person or entity asserting an Asserted 503(b)(9) Claims shall be prohibited from utilizing any other means for the assertion, resolution, allowance, and satisfaction of any Asserted 503(b)(9) Claims, including, without limitation, the filing of a motion for allowance or to compel payment of any Asserted 503(b)(9) Claims.

PLEASE TAKE FURTHER NOTICE that all Proofs of 503(b)(9) Claims shall be filed with Donlin, Recano & Company, Inc., if by first class mail to: Donlin, Recano & Company, Inc. Re: LVI Intermediate Holdings, Inc., et al., P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219, or if by hand delivery or overnight mail to: Donlin, Recano & Company, Inc. Re: LVI Intermediate Holdings, Inc., et al., 6201 15th Avenue, Brooklyn, NY 11219 so as to be actually received no later than July 24, 2020 at 4:00 p.m. (the "503(b)(9) Claim Filing Deadline"). All 503(b)(9) Claimants shall be forever barred from asserting a claim pursuant to section 503(b)(9) of the Bankruptcy Code after the expiration of the 503(b)(9) Claim Filing Deadline, subject to Fed. R. Bankr. P. 9006(b)(1).

PLEASE TAKE FURTHER NOTICE that a copy of the Order and the Proof of 503(b)(9) Claim Form can be obtained free of charge on the website of Donlin, Recano & Company, Inc. at www.donlinrecano.com/lvi.

PLEASE TAKE FURTHER NOTICE that the fact that you have received this notice does not mean that you have a claim pursuant to section 503(b)(9) of the Bankruptcy Code in the Chapter 11 Cases or that the Debtors believe you have a claim.

Dated: June 24, 2020

Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ G. David Dean

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